

Article - Environment

[\[Previous\]](#)[\[Next\]](#)

§9–946.

(a) An authority may set, charge, and collect rates, fees, and charges in connection with each of its projects to provide funds that, with any other available funds, are sufficient at all times:

(1) To pay:

(i) The expenses of the authority;

(ii) The cost of construction, extension, repair, improvement, maintenance, and operation of each facility and property of the authority;

(iii) The cost of maintenance, repair, and operation of each project for which the authority issued bonds under this subtitle, including the creation of reserves for the maintenance, repair, operation, replacement, depreciation, and necessary extensions of the project; and

(iv) The principal of and interest on all bonds of the authority whenever due and payable, including the creation of reserves to provide a margin of safety; and

(2) To fulfill the terms of any agreement that is made with:

(i) A purchaser or holder of any bond of the authority;

(ii) A political subdivision that is incorporated or is a member of the authority; or

(iii) A political subdivision that is or will be served by the authority.

(b) An authority may:

(1) Set rates, fees, and charges for the services and facilities of its water system that are sufficient to pay:

(i) The cost of maintenance, repair, and operation of its sewerage system; and

(ii) The principal of and interest on bonds that the authority issues for its sewerage system; and

(2) Subject to prior pledges of surplus revenue, pledge any surplus revenue of its water system for the purposes stated in item (1) of this subsection.

(c) (1) An authority may base rates, fees, and charges for the services and facilities of its sewerage system on:

(i) The quantity of water used;

(ii) The amount of the water bill;

(iii) The number and size of sewer connections;

(iv) The number and kind of plumbing fixtures in use in the premises that are connected with the sewerage system;

(v) The number or average number of individuals who reside in, work in, or are otherwise connected with the premises that are connected with the sewerage system;

(vi) The type or character of the premises that are connected with the sewerage system;

(vii) Any other factor that affects the use of the facilities furnished; or

(viii) Any combination of these factors.

(2) If any premises obtain all or part of their water from a source other than a public water system, an authority may charge the premises for sewerage services:

(i) By gauging or metering; or

(ii) In any other manner that the authority approves.

(d) An authority may base rates, fees, and charges for any of its other services and facilities on any factor that the authority determines to be reasonable and proper.

(e) The rates, fees, and charges of an authority shall be:

- (1) Reasonable;
- (2) Uniform by class; and
- (3) Determined solely by the authority.

(f) (1) Any person who questions whether the rates, fees, or charges of an authority are reasonable or uniform may sue the authority:

(i) In the circuit court for the county in which the project is located; or

(ii) If the project is located in 2 or more counties, in the circuit court for the county in which the principal office of the project is located.

(2) The circuit court has exclusive jurisdiction to determine the reasonableness and uniformity of the rates, fees, and other charges of an authority.

[\[Previous\]](#)[\[Next\]](#)